

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent No. : 7,300,660 B2
Issued Date: : November 27, 2007

Appln. No. : 10/695,155
Applicant : Marcus A. Horwitz
Filed : October 27, 2003
TC/A.U. : 1641
Examiner : Swartz, Rodney P.
Docket No. : 1951326-00004
Customer No. : 45,200
Title : Abundant Extracellular Products and Methods for Their Production and Use

REQUEST FOR CERTIFICATE OF CORRECTION - UNDER 37 CFR §1.322

Attn: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicant respectfully requests that the Corrections Branch enter this request for Certificate of Correction under 37 CFR §1.322 to correct certain clerical errors occurring in the printed patent though the fault of the Office.

Applicant hereby requests the correction of two typographical errors in the claims. In claim 6, Line 8 replace "328" with "32B." Applicant attaches page 2 of the reply to the Final Office Action mailed on July 24, 2007, wherein claim 6 was presented as it was originally filed with "32B" presented therein. No amendments were made to the claims thereafter.

In claim 14, Line 11 replace "12 1KD" with "12 KD." Applicant attaches page 4 of the reply to the Final Office Action mailed on July 24, 2007, wherein claim 14 was presented as it was originally filed with "12 KD" presented therein. No amendments were made to the claims thereafter.

Applicant believes that no fees are due with this request for Certificate of Correction. However, the Commissioner is authorized to charge any additional fees which may be required in connection with this request to deposit account No. 50-3207.

Respectfully submitted,

Dated: 2007-12-06

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (ORIGINAL) A vaccinating agent for use in promoting an effective immune response, in a mammalian host, against an infectious pathogen from the genus *Mycobacterium*, said vaccinating agent comprising:
at least a portion of at least one majorly abundant extracellular product selected from the group consisting of *M. tuberculosis* 110 KD protein, 80 KD protein, 71 KD protein, 58 KD protein, 45 KD protein, 32A KD protein, 32B KD protein, 30 KD protein, 24 KD protein, 23.5 KD protein, 23 KD protein, 16 KD protein, 14 KD protein, 12 KD protein and respective analogs, homologs, and subunits thereof; and
an adjuvant selected from the group consisting of IL-12 and MF 59.
2. (ORIGINAL) The vaccinating agent of claim 1 wherein said at least one majorly abundant extracellular product is *M. tuberculosis* 32A KD protein.
3. (ORIGINAL) The vaccinating agent of claim 1 wherein said at least one majorly abundant extracellular product is a mixture of *M. tuberculosis* 32A KD protein, 30 KD protein, and 16 KD protein.
4. (ORIGINAL) The vaccinating agent of claim 1 wherein said adjuvant is IL-12.
5. (ORIGINAL) The vaccinating agent of claim 1 wherein said adjuvant is a mixture of IL-12 and MF 59.
6. (ORIGINAL) A method for immunizing a mammalian host against an infectious pathogen of the genus *Mycobacterium*, said method comprising the steps of:
providing a vaccinating agent comprising at least a portion of at least one majorly abundant extracellular product selected from the group consisting of *M. tuberculosis* 110-KD protein, 80 KD protein, 71 KD protein, 58 KD protein, 45 KD protein, 32A KD protein, 32B KD protein, 30 KD protein, 24 KD protein, 23.5 KD protein,

<u>Peptide Sequence</u>	<u>Seq. ID No.</u>
GLRAQDDFSGW D I N T	104
W D I N T P A F E W Y D Q S G	106
P A F E W Y D Q S G L S V V M	107
P V G G Q S S F Y S D W Y Q P	110
G C Q T Y K W E T F L T S E L	114
K W E T F L T S E L P G W L Q	115
A N R H V K P T G S A V V G L	118
A V V G L S M A A S S A L T L	120
S A L T L A I Y H P Q Q F V Y	122
A I Y H P Q Q F V Y A G A M S	123
Q Q F V Y A G A M S G L L D P	124
G L L D P S Q A M G P T L I G	126
S Q A M G P T L I G L A M G D	127
N D P L L N V G K L I A N N T	134
N V G K L I A N N T R V W V Y	135
I A N N T R V W V Y C G N G K	136
C G N G K P S D L G G N N L P	138

and respective analogs, homologs, and subunits thereof including single or multiple amino acid substitutions, deletions, insertions, and inversions.

14. (ORIGINAL) An immunodiagnostic agent for use in promoting a detectable immune response in a mammalian host identifying an infectious pathogen from the genus *Mycobacterium*, said immunodiagnostic agent comprising:

at least one immunodominant epitope of at least one majorly abundant extracellular product selected from the group consisting of *M. tuberculosis* 110 KD protein, 80 KD protein, 71 KD protein, 58 KD protein, 45 KD protein, 32A KD protein, 32B KD protein, 30 KD protein, 24 KD protein, 23.5 KD protein, 23 KD protein, 16 KD protein, 14 KD protein, 12 KD protein and respective analogs, homologs, and subunits thereof.

15. (ORIGINAL) The immunodiagnostic agent of claim 14 wherein said at least one majorly abundant extracellular product is *M. tuberculosis* 32A KD protein.

16. (ORIGINAL) The immunodiagnostic agent of claim 15 wherein said at least one immunodominant epitope is selected from the group consisting of *M. tuberculosis* 32A KD protein subunits having the amino acid sequences

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INVENTOR(S) : Marcus A. Horwitz, Gunter Harth, Bai-Yu Lee

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 6, line 8, "328" should read "32B".

Claim 14, line 11, "12 1KD" should read "12 KD".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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